

# Exhibit 2

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November 16, 2023

**BY EMAIL**

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**Re: Objections to Requests for Production *Doe v. Mast*, No. 3:22-cv-49-NKM (W.D. Va.)**

Dear Ms. Eckstein:

As you know, we represent Joshua and Stephanie Mast in this matter. We write to address your Requests for Production and to identify which requests we believe are overly broad, as discussed at the November 8 meet and confer call and as discussed during the hearing on October 11 before Judge Hoppe.

**RFP 1.** This request is overly broad because the Masts have already produced the documents requested in RFP 1 as discovery in the Circuit Court Matter. To avoid duplicative productions, please identify specific documents produced by the Masts in the Circuit Court Matter that are no longer in your possession.

**RFP 2.** This request is overly broad because the Masts have already produced the documents requested in RFP 2 as discovery in the Circuit Court Matter, and it encompasses a vague and unknown set of communications potentially including any comment from Josh made to his family about the Circuit Court matter. To the extent that this request includes documents not produced in the Circuit Court matter, please specifically identify the documents or categories that are responsive to this request. This is burdensome and overbroad as to communications with “any” person “related to” the court case.

**RFP 3.** This request is overly broad because the Masts have already produced the documents requested in RFP 3 as discovery in the Circuit Court Matter. To the extent that this request includes documents not produced in the Circuit Court matter, please specifically identify the documents or categories that are responsive to this request. We cannot identify documents that “relate to” efforts to obtain custody or adoption without additional clarification.

November 17, 2023

Page 2

**RFP 5.** This request is overly broad because the Masts have already produced the documents requested in RFP 5 as discovery in the Circuit Court Matter. To the extent that this request seeks additional documents not previously produced, please specifically identify the documents that are responsive to this request.

**RFP 6.** This request is overly broad because the Masts have already produced the documents requested in RFP 6 as discovery in the Circuit Court Matter. To the extent that this request seeks additional documents not previously produced, please specifically identify the documents that are responsive to this request.

**RFP 7.** This request is overly broad because it seeks all documents “referring or relating to Communications” with current or former employees or officials of the Executive Office of the President, without specifying the subject matter of those communications.

**RFP 8.** This request is overly broad because it seeks all documents “referring or relating to Communications” with current or former employees or officials of the Office of the Vice President, without specifying the subject matter of those communications.

**RFP 10.** This request is overly broad because the Masts have already produced documents responsive to RFP 10 as discovery in the Circuit Court Matter. To the extent that this request seeks additional documents not previously produced, please specifically identify the documents or categories that are responsive to this request. As written the document would cover years worth of mundane communications with doctors offices, schools, civic organizations, and friends and family related to normal day to day activities involving Baby Doe.

**RFP 11.** This request is overly broad because the Masts have produced discovery in the Circuit Court Matter relating to communications with religious organizations. To the extent that this request seeks additional documents not previously produced, please specifically identify the types of communications requested, the religious entities subject to this request, and how these documents are related to the pursuit of admissible evidence.

**RFP 12.** This request is overly broad because it requires the Masts to produce privileged information, including documents covered by the attorney-client privilege and the attorney work product doctrine. To the extent that this request seeks documents not covered by attorney-client privilege or the work product doctrine, please specifically identify the types of communications with Liberty Counsel that are subject to this request.

November 17, 2023

Page 3

**RFP 13.** This request is overly broad because the Masts have produced discovery in the Circuit Court Matter relating to communications with Liberty University. To the extent that this request seeks additional documents not previously produced, please specifically identify the types of communications requested and the educational institutions subject to this request.

**RFP 14.** This request is overly broad because documents responsive to RFP 14 were produced by both the Masts and other defendants as discovery in the Circuit Court Matter. To the extent that this request seeks additional documents not previously produced, please specifically identify those documents and the other Defendants to whom those documents relate.

**RFP 16.** This request is overly broad because you have now access to the Circuit Court record and the documents relating to the adoption proceeding. To the extent that there are documents relating to the Adoption Matter that are not available to you, please specifically identify those documents.

**RFP 17.** This request is overly broad because you have access to the record of the original J&DR proceeding. To the extent that there are documents relating to the J&DR Matter that are not available to you, please specifically identify those documents.

**RFP 22.** The Masts have already produced the documents requested in RFP 22 as discovery in the Circuit Court Matter. To avoid duplicative productions, please identify specific transcripts of proceedings and depositions from the Circuit Court Matter that are no longer in your possession.

**RFP 23.** The Masts have already produced the documents requested in RFP 23 as discovery in the Circuit Court Matter. To avoid duplicative productions, please identify the specific written discovery materials from the Circuit Court Matter that are no longer in your possession.

**RFP 24.** This request is overly broad because documents responsive to RFP 24 have been produced as discovery in the Circuit Court Matter. To the extent that this request seeks non-privileged documents that have not been previously provided, please specifically identify those documents. This request also does not have a cut-off date.

**RFP 25.** The [REDACTED] concede in their Complaint that “[Baby Doe’s] parents and five siblings were killed in a U.S. military operation in rural Afghanistan.” Complaint at ¶ 3. *See also* Complaint at ¶ 11 (acknowledging that Baby Doe’s “biological parents died in 2019”); Complaint at ¶ 21 (“[Baby Doe’s biological parents and five of her siblings were killed on September 6, 2019, in Afghanistan[.]”). Because the [REDACTED] concede that Baby Doe’s biological parents are deceased, the Masts request that the [REDACTED] abandon RFP 25.

November 17, 2023

Page 4

Respectfully submitted,

/s/ Michael L. Francisco

John S. Moran

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CC: Counsel of record